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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,511	01/20/2000	Yoshinori Aoki	12819-(JA999-099)	4532

7590 04/23/2004

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EXAMINER

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/23/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/488,511

Applicant(s)

AOKI ET AL.

Examiner

Dang T Nguyen

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to RCE

1. This office action is in response to applicant's RCE filed on 03/08/04. Claims 1, 2, 4 - 10, and 12 - 20, are pending on this application. Independent claims 1, 9, and 16, have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4 - 10, and 12 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun et al. U.S. Patent no. 6,161,112, and further in view of Burba et al U.S. Patent No. 6,601,232 with provisional application filed on May 04 1998.

Regarding independent claims 1, 9, and 16, Fig. 5 of Cragun discloses a system for customizing a Web page by using at least one computer on which a browser for browsing a Web page runs, said system comprising: means for requesting a original Web page to be customized (Fig. 5 [output line of 510]); means for receiving said requested original Web page (Fig. 5 [input line of 510]) in which a program for customizing a page is embedded (Fig. 5 [129: Presentation Control Mechanism])

disclose a customizing program which allows user more control over the presentation of the web page. See Col. 5 lines 64 – 66); web browser means for displaying said received original Web page (Fig. 5 [126: Web Browser]); means for having said program display a control panel for a customizing operation (Figs. 11 and 12 display a control panel of control Mechanism of 129 for customizing the presentation of the web page); means for customizing a Web page according to a customizing operation by a user using said control panel (Figs. 11[Allow Size Change, Allow Motion, Show Detail] disclosing control panel for customizing the web page) while said original Web page is retained for other users (Col. 11 lines 2 - 3 of Cragun disclose the user customize a web page to his or her own individual taste, therefore the original web page from the server 230 of Fig. 5 does not change and retained for other user); and means (Fig. 1 [120]) for storing data pertaining to customizing operation, and the web page is dynamically restored with the customizing data when subsequently accessed by the user (see Fig. 4, Step 450 presenting customized web page to the user according to customizing [Setup/Change] data attribute of web page presentation items in Step 440).

However Cragun et al. fails to disclose means for embedding a customizing program in said Requested original web page.

Fig. 1, 2 and Col. 6 lines 39 – 64, of Burba et al. disclosing an online web page (Fig. 2) testing procedures having customizing program (Fig. 2 Menu [30 – 38]) embedding in the web page, which allows user to open, create, edit, delete, change, and modify the online testing procedures of the web page, comprising: means (Fig.

1[18]) for embedding (Fig. 2[30 – 38]) a customizing program (Fig. 1[22]) in said Requested original web page (See Fig. 2 Menu [30 – 38])).

Cragun and Burba et al. are solving a common subject matter for customizing web page. It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the embedding customize program in the original web page taught by Burba et al. to web-page-customizing of Cragun for the purpose of providing a system user with a friendly interface and minimizing the interface between user and tools wherever appropriate (Burba et al. Col. 6 lines 41 – 43).

Regarding dependent claims 2 and 10, Cragun modified by Burba as applied to claims 1 and 9 above further, discloses said means for requesting a Web page (Fig. 5[127]) is a means for requesting a page from a Web server via a server or for requesting a locally stored Web page (see Cragun Fig. 5 [230] disclosing requesting web page through a server).

Regarding dependent claims 4 and 12, Cragun modified by Burba as applied to claims 1 and 9 above further discloses said means for storing data on a customizing operation is a means for storing said data on a server (Burba, Fig. 1[10] disclosing server 10 with storing data 20 and customizing operations 22 are storing on the server).

Regarding dependent claims 5 and 13, Cragun discloses said system further comprises the means for multiple users with multiple computers for customizing the web pages (col. 4 lines 8 - 10).

Regarding dependent claims 6 and 14, Cragun modified by Burba as applied to claims 1 and 9 above further comprises the means for customizing a Web page

according to a customizing operation by a user using said control panel from said another computer (see Figs. 11 and 12, and Col. 4 lines 35 - 42).

Regarding dependent claims 7 and 15, Cragun modified by Burba as applied to claims 1 and 9 above further discloses said program is executable independent of any operating system or browser (Burba Col. 5 lines 17 – 21 disclosing the customizing program Fig. 2[22] is executable independent on multiple operation system, Sun/Solaris, NT, Macintosh, PC for client and sever).

Regarding dependent claim 8, Cragun modified by Burba as applied to claims 1 and 9 above further discloses said system comprises a means for immediately reflecting a result of a customizing operation on a browser (Cragun Fig. 5[126] disclosing the reflecting of presentation 128, resulting from customizing program 129).

Regarding to claims 17, 19 and 20, Cragun modified by Burba as applied to claims 1, 9 and 16 above, further disclose wherein said customizing operation via said control panel includes on or more: adding object, changing an attribute of an object or deleting an object (Cragun, Fig. 10, Fig. 11, and Fig. 12; Burpa Fig. 2 Menu).

Regarding dependent claim 18, Cragun modified by Burba as applied to claims 1, 9 and 16 above, further disclose wherein said customizing operation is performed without changing an existing web server providing said original web page or said web browser (Cragun Col. 11 lines 2 - 3 discloses the user customize a web page to his or her own individual taste, therefore the original web page from the server 230 of Fig. 5 does not change and is retained for other user).

Response to Argument

3. Applicant's arguments filed Nov. 13, 2003 have been fully considered but in the moot of new ground rejection from Cragun in view of Burba as noted supra.

Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wies et al. Patent No. US 6,125,385 Date of Patent: Sep. 26, 2000.

Brown et al. Patent No. US 6,278,448 B1 Date of Patent: Aug. 21, 2001.

Contact Information

5. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:


(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 4/15/2004


STEPHEN S. HONG
PRIMARY EXAMINER